

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:

AMERICAN LaFRANCE, LLC,

Debtor.

Chapter 11
Case No. 08-10178-BLS

(Bankr. D. Del.)

FREIGHTLINER LLC

Plaintiff,

v.

AMERICAN LaFRANCE, LLC,

Defendant.

08 Civ. 5625 (BJ)

(ECF)

STIPULATION

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for plaintiff Freightliner LLC (“Freightliner” or “plaintiff”) and defendant American LaFrance LLC (“ALF”), that:

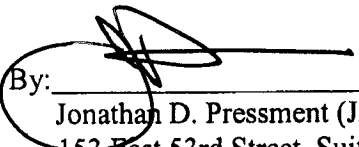
1. The time for ALF to answer, move against, or otherwise respond to the Complaint filed by plaintiff herein is extended to and including the 45th day from the date ALF’s undersigned counsel receives written notice that all forthcoming motions (if any) and appeals regarding abatement, jurisdiction, removal, remand and/or venue have been denied or granted or that all such matters are resolved by agreement of the parties (as applicable) and all issues as to the proper venue and jurisdiction for these proceedings resolved; and

2. This Stipulation may be executed in counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. Moreover, signatures

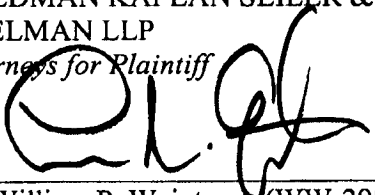
of the Stipulation sent by facsimile or electronic mail transmission shall be deemed the equivalent of original signatures.

Dated: New York, New York
June 26, 2008.

HAYNES AND BOONE, LLP
Attorneys for Defendant
American LaFrance, LLC

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SO ORDERED:

Barbara S. Jones, U.S.D.J.